

REMARKS/ARGUMENTS

By the foregoing, claims 1 - 10 are amended, wherein claims 2-9 are amended to place the claims in proper format before the Examiner. Entry of the amendment and favorable consideration thereof is earnestly solicited.

As now presented, claims 1 and 10 are independent claims.

Claims 1-10 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,814,235 to Pellegrino et al. (Pellegrino). In view of the amendment and remarks presented, the Examiner is respectfully requested to withdraw the rejection.

The presently claimed invention of claim 1 is a grid for the absorption of X-rays to filter out scattered radiation which are not usable in radiological examination. The grid includes a plurality of layers. As now more succinctly claimed, each of the plural layers includes at least two wire elements, which are separate elements 10 that are spaced apart (see e.g., Fig 2, and page 5 line 30 to 32). Advantageously, the separate wire elements allow the grid to be easily made as described in the specification starting on page 4, line 26 to page 5, line 2.

Pellegrino does not show the presently claimed structure. In contrast, Pellegrino discloses "stacked layers of metallic foil sheet." Col 4, lines, 47-48. As can be seen in Figs. 1, each layer consists of one integral foil sheet where the grid openings are produced when the corresponding material is chemically milled from the foil sheet leaving perpendicular partition walls (36). Col. 4, lines 49-52.

The Examiner considers the partition walls disclosed by Pellegrino to be the claimed wire elements. However, these partition walls are arranged in a connected structure made from one integral sheet of material where each partition wall is connected to another parallel partition wall by a perpendicular partition wall. In other words, any parallel partition walls are connected to

each other as part of the integral sheet and are not separate elements, as now expressly recited in claim 1. Thus, Pellegrino fails to disclose the critical feature of the presently claimed structure wherein the wire elements are separate from each other.

The dependent claims, namely claims 2-9, are allowable over the cited reference for the same reason that the independent claim on which they depend, namely claim 1, is allowable.

The presently claimed invention of claim 10 is an X-ray examination apparatus that includes a grid which is arranged in front of an X-ray detector and includes limitations that are similar to the limitations as claim 1. More specifically, claim 10 recites that the grid includes a plurality of layers where at least one of the plural layers includes at least two wire elements which are separate from the other and spaced apart. As discussed above, the layer formed from an integral sheet of material disclosed by Pellegrino does not teach or suggest a layer comprising separate wire elements, as expressly recited in independent claim 10.

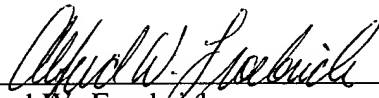
For the foregoing reasons, claim 10 is allowable over the cited reference.

The specification is amended to correct an obvious typographical error wherein "D_{y2}" should read "D_{Y2}." Support for the correction is found in the original paragraph and the specification as a whole. No new matter is added.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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